



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

JUL 29 2019

L32(2225)
LWCF #53-00738 (pending) / RCO #18-1819

Mr. Scott Robinson, Alternate State Liaison Officer
WA Recreation and Conservation Office
PO Box 40917
Olympia, WA 98504-0917

Dear Mr. Robinson:

This is in response to your July 19, 2019 request for a waiver of retroactivity for the Chehalis Recreation Park Upgrade Phase 2 (18-1819) in order to preserve the eligibility of expenses incurred while processing of a Land and Water Conservation Fund (LWCF) grant application is pending. This project competed in the Washington Open Project Selection Process in the summer of 2018 and was ranked fifth. An application was submitted to the NPS on April 26, 2019 with a requested start date of June 1, however, processing the application requires that Washington receive an apportionment from the FY2019 appropriation for LWCF State Assistance, which has not yet occurred. Meanwhile, we understand that additional funds needed to complete the project that are already available have time sensitivity, and in order to secure their match the local applicant needs to begin work on or before August 1, 2019.

Retroactive costs are not reimbursable or allowed as match under ordinary circumstances. Waivers are granted only when immediate action is necessary and the time needed to process an application would result in the loss of a significant opportunity. In accordance with Chapter 5.A.3 of the LWCF Manual regarding waivers for development projects, the NPS has received the PD/ESF (and all other application documents) and has reviewed the project for compliance with LWCF, NEPA, NHPA and other applicable laws. The NPS has determined that the project will qualify for a Categorical Exclusion under NEPA and will have no effect on historic properties under NHPA. Therefore, we are granting approval of Chehalis waiver request. However, please note that any expenses incurred are done so at the applicant's own risk. Retroactive costs will only be eligible for assistance if an agreement is later approved. Granting this waiver is only an acknowledgement of a need for action and does not imply nor assure the apportionment of funds to Washington nor NPS approval of the grant application.

Eligible costs incurred by the applicant as of the date of this waiver approval may be considered for matching or allowed for reimbursement according to the terms of the grant agreement if one is awarded. A grant award for this project must be approved by the NPS before September 30, 2020 for this waiver to apply. If you have any questions, please contact your program officer, Heather Ramsay, at 206-220-4123.

Sincerely,

Elisabeth M. Fondriest
Chief, Recreation Grant Programs Branch
State and Local Assistance Division